

ADVANTA USA INC.

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**FACSIMILE TRANSMITTAL SHEET**

TO: <b>Box DAC</b>	PROM: PATENT COUNSEL <b>Dana Rewoldt</b>
COMPANY: <b>Advanta USA Inc.</b>	DATE: <b>4/18/02</b>
FAX NUMBER: <b>1(515)-685-5072</b>	TOTAL NO. OF PAGES INCLUDING COVER: <b>18 plus this sheet</b>
PHONE NUMBER: <b>1(515)-685-5201</b>	SENDER'S REFERENCE NUMBER: <b>Gentiplastin conversion</b>
RE: <b>REQUEST FOR REVIVAL OF UNINTENTIONAL Abandonment</b>	YOUR REFERENCE NUMBER: <b>[Click here and type reference number]</b>

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

NOTES/COMMENT'S:

Enclosed herein in duplicate is the Petition Fee Payment, in single copy the Petition for Revival of the above-identified application for unintentional abandonment, and the statement that the entire delay was unintentional, a petition for RCE transmittal of RCE and the attached reply to the Office Action of June 28, 2001. 18 pages.

THIS FAXIMILE TRANSMISSION IS ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THIS REACHES A NON INTENDED RECIPIENT, YOU ARE NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS DOCUMENT IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS

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#16

APR 18 2002

PETITIONS OFFICE

PTO/SB/64 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b>	Docket Number (Optional) <b>GERMPLASM CONVERSION</b>
--------------------------------------------------------------------------------------------------------------	---------------------------------------------------------

First named inventor: **PATENT APPLICATION FOR KASTER**

Application No.: **09/100,516**

Art Unit: **1638**

Filed: **JUNE 19, 1998**

Examiner: **DR. GARY BENZION**

Title: **PLANTS AND THEIR PREPARATION**

Attention: Office of Petitions  
Assistant Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703) 305-9282

The above-identified application became abandoned for failure to file a timely and proper reply to an office action  
by the United States Patent and Trademark Office. The date of abandonment is the day after the  
expiration date of the period set for reply in the Office notice or action plus an extensions of time  
actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications  
filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$ 1280 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of \_\_\_\_\_ (identify type of reply)  
 has been filed previously on \_\_\_\_\_

is enclosed herewith.

B. The issue fee of \$ \_\_\_\_\_

has been paid previously on \_\_\_\_\_  
 is enclosed herewith.

[Page 1 of 2]

Burden Hour Statement. This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Washington, DC 20231.

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## PETITIONS OFFICE

PTO/SB/64 (12-01)

Approved for use 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## 3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

## 4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

19<sup>th</sup>  
4/18/2002

Date

Telephone  
Number: ( ) 515-685-5201

Signature

Dana Rewoldt

Typed or printed name

2369 330th Street, Box 500

Address

Slater, IA 50244

Enclosures:  Fee Payment

Reply

Terminal Disclaimer Form

Additional sheets containing statements establishing unintentional delay

Other: \_\_\_\_\_

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

19<sup>th</sup>  
4/18/2002

Date

Signature

DANA REWOLDT

Type or printed name of person signing certificate

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Patent Application for Kaster DB 12  
Serial No.: 09/100,516 Date: April 18, 2002  
Filed: June 19, 1998 Art Unit: 1638  
For: Plants and Their Preparation Examiner: Dr. Gary Benzion  
Action: Transmittal Letter

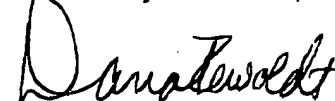
To: Office of Petitions  
Assistant Commissioner for Patents  
Box DAC  
Washington, DC 20231

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PETITIONS OFFICE

Dear Sir,

Enclosed herein in duplicate is the Petition Fee Payment, in single copy the Petition for Revival of the above-identified application for unintentional abandonment, and the statement that the entire delay was unintentional, a petition for RCE and the attached reply to the Office Action of June 28, 2001. This June 28, 2001 Final Office Action went abandoned on September 28, 2001. No extensions of time were filed. Our office has not received a Notice of Abandonment at this time.

Respectfully submitted,



Dana Rewoldt  
Dana Rewoldt, #33,762  
Advanta USA, Inc.  
2369 330th Street, Box 500  
Slater, IA 50244  
Telephone: (515) 685-5201  
Telefax: (515) 685-5072

**CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8(d)**

I hereby certify that the Transmittal Letter, Request for RCE, office action response and attached Petition, Form PTO/SB/64 (10/01) with its own transmission certificate, and Petition Fee Payment (in duplicate), was transmitted by facsimile to the Office of Petitions, Assistant Commissioner for Patents (703-308-6916) on April 19, 2002.

Dana Pawoldt

**CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.6(d)**

I hereby certify that the Petition Fee Payment (in Duplicate) was transmitted by facsimile to the Office of Petitions, Assistant Commissioner for Patents (703-308-6916) on April 18, 2002.

19  
2002

Dana P. Wold